

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

MICHAEL COSTELLO,

Plaintiff,

- v -

Civ. No. 1:11-CV-417
(DNH/RFT)

WASHINGTON COUNTY OF NEW YORK
SUPPORT, *et. al.*,

Defendants.

RANDOLPH F. TREECE
United States Magistrate Judge

ORDER

On April 15, 2011, *Pro se* Plaintiff Michael Costello filed an Emergency Motion for a Temporary Restraining Order against Washington County Support Unit and Family Court, among others. Dkt. No. 1. Essentially Costello wants a stay of a child support order which may require his incarceration. However, the Emergency Motion was not accompanied by a complaint.

On the same day, the Honorable David N. Hurd, United States District Judge, summarily denied Costello's Emergency Motion. Dkt. No. 4, Order. With the Emergency Motion being dismissed, and without a complaint, there is no pending matter before this Court.

If Costello wishes to proceed with this action, he must file a complaint within fifteen days of the date of this Order. If a complaint is not received timely, this Court will direct the Clerk of the Court to close this matter.

In filing a complaint, Costello must abide by Federal Rules of Civil Procedure 8 and 10, and shall state sufficient facts that would plead a plausible cause of action. Failure to comply with the Federal pleading requirements may necessitate this Court to recommend dismissing the complaint.

Accordingly, Michael Costello shall file, if he intends to prosecute this matter, a complaint, which complies with the Federal Rules, on or before **May 6, 2011**.

The Clerk of the Court is directed to mail a copy of this Order to Michael Costello at the address indicated on the case docket.

IT IS SO ORDERED.

April 19, 2011
Albany, New York


RANDOLPH F. TREECE
United States Magistrate Judge

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